

REMARKS


Reconsideration and further prosecution of the above-identified application are respectfully requested in view of the accompanying amendments and in view of the discussion that follows. Claims 1-24 and 34-67 are pending in this application and claims 13-24 and 34-67 have been withdrawn. Claims 1-2 and 11-12 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Pat. No. 6,627,530 to Li et al. ("Li"). Claims 3-10 have been objected to as allowable if rewritten into independent form. Claim 1 has been amended. After a careful review of the claims as amended, it is believed that the pending claims are in allowable form and a Notice of Allowance is respectfully requested.

Claims 1, 2, 11 and 12 have been rejected as being anticipated by Li. Li is directed to forming a three dimensional circuit structure wherein a desired sidewall profile is obtained by modifying the etch chemistry during the course of a single patterning operation. Independent claim 1 has been amended to clarify that the first and second patterning operations are two different patterns. The disclosure in Li at Col. 5, lines 50-65 cited in the Office Action merely describes a single patterning operation in which the etch chemistry is changed to add a horizontal component after a first portion of the etch in order to take advantage of polymer build up. Thus, Li describes a single patterning operation to etch a single pattern into the multi-layer stack. Claim 1, however, claims two different patterns and is thus distinguishable over Li. Accordingly, applicants submit that independent claim 1 distinguishes over the cited reference, as do dependent claims 2-12 which depend from allowable claim 1.

As discussed above, claims 1-12 are not anticipated by the cited reference. Therefore, allowance of claims 1-12 is believed to be in order and such action is respectfully requested. Should the Examiner be of the opinion that a telephone conference would expedite prosecution

of the subject application, he is respectfully requested to telephone applicant's undersigned attorney.

Respectfully submitted,


James A. Scheer
Reg. No. 29,434

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WELSH & KATZ, LTD
120 South Riverside Plaza, 22nd Floor
Chicago, Illinois 60606
(312) 655-1500 Telephone
(312) 655-1501 Facsimile